

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

IN RE: §
§
HIGH PLAINS RADIO NETWORK, § **CASE NO. 24-70089**
LLC, §
DEBTOR. §

NOTICE OF HEARING

Please take notice that an expedited hearing has been set for **APRIL 10, 2024 AT 10:30 A.M.** before the Honorable Scott W. Everett, United States Bankruptcy Judge regarding the matters referenced and described below.

The hearing will be conducted via WebEx. The WebEx hearing instructions for the Court are attached below.

| | |
|---|---|
| For WebEx Video Participation/Attendance: | https://us-courts.webex.com/meet/everett |
| For WebEx Telephonic Participation/Attendance: | Dial-In: 1-650-479-3207 Access Code: 476 420 189 |

| Filing Date | Docket Text |
|-------------|--|
| 04/02/2024 | 15 (16 pgs; 2 docs) Motion regarding utilities. <i>Motion for Order (I) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services and (II) Establishing Procedures for Determining Requests for Additional Adequate Assurance</i> Filed by Debtor High Plains Radio Network, LLC (Attachments: # 1 Proposed Order) (Carruth, Jeffery) |

Dated: April 5, 2024

Respectfully submitted:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

By: /s/ Jeff Carruth

JEFF CARRUTH (TX SBN: 24001846)
2608 Hibernia, Suite 105
Dallas, TX 75204-2514
Telephone: (713) 341-1158
Fax: (713) 961-5341
E-mail: jcarruth@wkpz.com

PROPOSED ATTORNEYS FOR
HIGH PLAINS RADIO NETWORK, LLC,
DEBTOR AND DEBTOR IN POSSESSION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was served on April 5, 2024 (1) by electronic notice to all ECF users who have appeared in this case to date, and/or as set forth below and (2) by regular mail to all parties appearing in the attached service list.

COPIES OF THE EXHIBITS WERE NOT SERVED BY REGULAR MAIL. PLEASE CONTACT THE UNDERSIGNED IF YOU WISH TO RECEIVE THE EXHIBITS.

/s/Jeff Carruth

Jeff Carruth

ECF SERVICE LIST

24-70089-swe11 Notice will be electronically mailed to:

Jeffery D. Carruth on behalf of Debtor High Plains Radio Network, LLC

jcarruth@wkpz.com,

jcarruth@aol.com;atty_carruth@trustesolutions.com;carruthjr87698@notify.bestcase.com;ATTY_CARRUTH@bluestylus.com

Paul H. Cross on behalf of Creditor Hanmi Bank

phplease@msn.com

Shanna M. Kaminski on behalf of Interested Party Union Funding Source, Inc.

skaminski@kaminskilawllc.com

Sherrel K. Knighton on behalf of Creditor Malakoff ISD

Sherrel.Knighton@lgbs.com, Dora.Casiano-

Perez@lgbs.com;Sean.French@lgbs.com;Eva.Parker@lgbs.com;Alexis.Hall@lgbs.com;Dallas.Bankruptcy@lgbs.com

Julie Anne Parsons on behalf of Creditor Eastland County Appraisal District

jparsons@mvtalaw.com, kalexander@mvtalaw.com;theresa.king@mvtalaw.com;juanie.montalvo@mvtalaw.com

Julie Anne Parsons on behalf of Creditor The County of Henderson, Texas

jparsons@mvtalaw.com, kalexander@mvtalaw.com;theresa.king@mvtalaw.com;juanie.montalvo@mvtalaw.com

Julie Anne Parsons on behalf of Creditor The County of Stephens, Texas

jparsons@mvtalaw.com, kalexander@mvtalaw.com;theresa.king@mvtalaw.com;juanie.montalvo@mvtalaw.com

Scott M. Seidel -SBRA V

scott@scottseidel.com, csms11@trustesolutions.net;susan.seidel@earthlink.net

Dawn Whalen Theiss on behalf of Creditor Small Business Administration

dawn.theiss@usdoj.gov, brooke.lewis@usdoj.gov;CaseView.ECF@usdoj.gov

United States Trustee

ustpregion06.da.ecf@usdoj.gov

David Weitman on behalf of Creditor Vertical Bridge REIT, LLC

david.weitman@klgates.com

SERVICE LIST

| SERVICE LIST | | | | | | | Case No. 22-51323 | In re: Kuberlaxmi, LLC | UPDATED: | 4/4/2024 |
|------------------------------------|--|--|--------------------------------|------------------|-------|------------|---|-----------------------------|----------|----------|
| | | | | | | | C:\Users\Jgarrett\MD Office Echo\VAULT-C9SL7ZTY\service list 001 4878-4499-4995 v.3.xlsx\Sheet1 | | | |
| Name | Address1 | Address2 | Address3 | City | State | Zip | Email | Method of Service / Comment | | |
| BMI | PO Box 630893 | | | Cincinnati | OH | 45263-0893 | | Regular Mail | | |
| Bryn Mawr Equipment Finance Inc. | 801 Lancaster Avenue | | | Bryn Mawr | PA | 19010-3305 | | Regular Mail | | |
| Channel Partners Capital LLC | Attn Legal Department | 1111 E College Drive | Suite 200 | Marshall | MN | 56258-1968 | | Regular Mail | | |
| City of Altus | 509 S Main St | | | Altus | OK | 73521-3135 | | Regular Mail | | |
| City of Hereford | PO Box 2777 | | | Hereford | TX | 79045-2777 | | Regular Mail | | |
| City of Plainview | 202 W 5th | | | Plainview | TX | 79072-3232 | | Regular Mail | | |
| City of Vernon | 1725 Willbarger St | | | Vernon | TX | 76384-4741 | | Regular Mail | | |
| Crest Capitol | PO Box 88233 | | | Atlanta | GA | 30356-4233 | | Regular Mail | | |
| CT Corp. Sys. | Attn: SPRS | 330 N Brand Blvd | | Glendale | CA | 91203-7308 | | Regular Mail | | |
| Eastland County Appraisal District | c/o Julie Parsons | McCreary, Veselka, Bragg & Allen, P.C. | P.O. Box 1269 | Round Rock | TX | 78680-1269 | jparsons@mybalaw.com | NOA-ECF | | |
| Energy Utility | PO Box 8105 | | | Baton Rouge | LA | 70891-8105 | | Regular Mail | | |
| Federal Communications Com. | 451 Street NE | | | Washington | DC | 20554-0001 | | Regular Mail | | |
| Financial Agent Services | PO Box 7576 | | | Springfield | IL | 62708-2576 | | Regular Mail | | |
| First State Bank Athens | PO Box 471 | | | Athens | TX | 75751-0471 | | Regular Mail | | |
| Global Music Rights | 1801 W Olympic Blvd | | | Pasadena | CA | 91199-2280 | | Regular Mail | | |
| Hammie Bank | 5403 Olympic Dr. #700 | | | Gig Harbor | WA | 98335-1853 | | NOA-ECF | | |
| Hammie Bank | 1107 E Pioneer Parkway | | | Arlington | TX | 76010-5866 | | NOA-ECF | | |
| Hannini Bank | 1100 W 10th Sts Esp | | | Dallas | TX | 75202-3500 | phclcase@msn.com | NOA-ECF | | |
| Harrison LaPorte | 14300 Memorial Dr | 11300 N. Central Expressway Ste. 604 | | Houston | TX | 77079-6731 | | Regular Mail | | |
| High Point Barfin Network, LLC | PO Box 1419 | | | Vernon | TX | 76385-1419 | | Regular Mail | | |
| Hilachi Capital America Corp. | 7808 Crossbridge Circle | Suite 250 | | Edina | MN | 55439-2647 | | Regular Mail | | |
| Internal Revenue Service | Centralized Insolvency Operation | PO Box 7217 | | Philadelphia | PA | 19101-7317 | | Regular Mail | | |
| Jeffery D. Garuth | Wiley Captain Paluski & Zuber, P.C. | 2608 Hibernia | Suite 105 | Dallas | TX | 75204-3514 | jgaruth@wkpco.com | Regular Mail | | |
| Liberty Mutual Insurance | 175 Berkeley Street | | | Norton | MA | 02116-3350 | | Regular Mail | | |
| Lifetech Solutions | 99 Wall St #613 | | | New York | NY | 10005-4401 | | Regular Mail | | |
| Makofoff ISD | Linebarger Goggan Blair & Sampson, LLP | c/o Sherrill K Knighton | 2777 N Stemmons Fwy, Ste. 1000 | Dallas | TX | 75207-3228 | Sherrill.Knighton@lbz.com | NOA-ECF | | |
| Marin Leasing Corp | 300 Fellowship Rd | | | Mount Laurel | NJ | 08054-1727 | | Regular Mail | | |
| Media Facilities | 1740 Dell Range Blvd. #418 | | | Cheyenne | WY | 87009-4961 | | Regular Mail | | |
| Meridian | 367 Eagleview Blvd. | | | Exton | PA | 19341-1156 | | Regular Mail | | |
| Meridian Equipment Finance LLC | 9 Old Lincoln Highway | | | Malvern | PA | 19355-2551 | | Regular Mail | | |
| Midland States Bank | 1801 Park 270 Drive | Suite 200 | | St. Louis | MO | 63146-4022 | | Regular Mail | | |
| Mitsubishi HC | 7201 Metro Blvd. Site 800 | | | Edina | MN | 55439-1333 | | Regular Mail | | |
| Monte Spearman | 4837 Silverwood Dr. | | | Johnstown | CO | 80534 | | direct email | | |
| Monte Spearman | PO Box 3649 | | | Palestine | TX | 75802 | | Regular Mail | | |
| New Lane Fin. B-M | 801 Lancaster Ave | | | Bryn Mawr | PA | 19010-3305 | | Regular Mail | | |
| North Arkansas Electric | PO Box 1000 | | | Salem | AR | 72576-1000 | | Regular Mail | | |
| Optimum Telephone | 1111 Stewart Ave. | | | Bethpage | NY | 11714-3581 | | Regular Mail | | |
| Pawnee | 3801 Automation Way #207 | | | Ft Collins | CO | 80525-5735 | | Regular Mail | | |
| SBA Covid-19 Disaster Loan | PO Box 3918 | | | Portland | OR | 97208-3918 | | NOA-ECF | | |
| Scott M. Seidel -SBRRA V | Seidel Law Firm | 6505 West Park Blvd | Suite 306 | Plano | TX | 75093-6212 | scott@scottseidel.com | NOA-ECF | | |
| SecureNet | 101 N Federal HWY Ste 601 | | | Boca Raton | FL | 33432-3969 | | Regular Mail | | |
| SESAC | PO Box 5246 | | | New York | NY | 10008-5246 | | Regular Mail | | |
| Summit | 4680 Parkway Dr #300 | | | Mason | OH | 45040-7979 | | Regular Mail | | |
| Summit Natural Gas | PO Box 676558 | | | Dallas | TX | 75267-6558 | | Regular Mail | | |
| Texas Comptroller | Rev Actv Div -Bankruptcy Section | PO Box 13528 | | Austin | TX | 78711-3528 | | Regular Mail | | |
| The County of Henderson, Texas | c/o Julie Anne Parsons | McCreary, Veselka, Bragg & Allen, P.C. | P.O. Box 1269 | Round Rock | TX | 78680-1269 | jparsons@mybalaw.com | NOA-ECF | | |
| The County of Stephens, Texas | c/o Julie Anne Parsons | McCreary, Veselka, Bragg & Allen, P.C. | P.O. Box 1269 | Round Rock | TX | 78680-1269 | jparsons@mybalaw.com | NOA-ECF | | |
| The Fundworks | 299 S. Main St. #1300 | | | Salt Lake City | UT | 84111-2241 | | Regular Mail | | |
| Turbo Capital | 23081 Market St | | | Wilmington | DE | 19807-4230 | | Regular Mail | | |
| TXU Utility | PO Box 650638 | | | Dallas | TX | 75265-0638 | | Regular Mail | | |
| U.S. Bank Equipment Finance | 1310 Madrid Street | | | Marshall | MN | 56258-4099 | | Regular Mail | | |
| U.S. Small Business Administration | 1545 Hawkins Blvd Ste 202 | | | El Paso | TX | 79925-2654 | | NOA-ECF | | |
| U.S. Small Business Administration | c/o Dawn Whalen Thesis | 1100 Commerce St Ste 300 | | Dallas | TX | 75247 | dawn.thesis@usda.gov | NOA-ECF | | |
| United First LLC | 2999 NC 191st St | | | Miami | FL | 33180-3123 | | Regular Mail | | |
| United Funding | 1835 E Hollandale Beach BLVD | | | Hollandale Beach | FL | 33099-4619 | | NOA-ECF | | |
| United Funding | Shanna M. Kaminski | Kaminski Law, PLLC | P.O. Box 247 | Grass Lake | MI | 49240 | staminski@kaminskilawllc.com | NOA-ECF | | |
| United States Trustee | 1100 Commerce Street | Room 976 | | Dallas | TX | 75242-0996 | erin.schmitt2@usdoj.gov | NOA-ECF | | |
| Verizon Cell Phone | PO Box 660108 | | | Dallas | TX | 75266-0108 | | Regular Mail | | |
| Vertical Bridge REIT LLC | 750 Park of Commerce Dr #200 | | | Boca Raton | FL | 33487-3650 | | NOA-ECF | | |
| Vertical Bridge REIT LLC | Brandy A. Sargent | K&L Gates | One SW Columbia St., Ste 1900 | Portland | OR | 97204 | brandy.sargent@klgates.com | NOA-ECF | | |
| Vertical Bridge REIT LLC | David Wetman | K&L Gates | 3171 Main Street Suite 2800 | Dallas | TX | 75201 | dwetman@klgates.com | NOA-ECF | | |
| Xcel Energy | Attn: Bankruptcy Department | Po Box 9477 | | Minneapolis | MN | 55484-4001 | | Regular Mail | | |
| Zula Corp | PO Box 3649 | | | Palestine | TX | 75802-3649 | | direct email | | |

WebEx Hearing Instructions

Judge Scott W. Everett

Pursuant to General Order 2023-05 issued by the Court on September 19, 2023, hearings before Judge Scott W. Everett will be conducted pursuant to the guidelines set forth in the General Order unless ordered otherwise.

For WebEx Video Participation/Attendance:

Link: <https://us-courts.webex.com/meet/everett>

For WebEx Telephonic Only Participation/Attendance:

Dial-In: 1-650-479-3207; Access code: 476 420 189

Participation/Attendance Requirements:

- Counsel and other parties-in-interest who plan to actively participate in the hearing are encouraged to attend the hearing in the WebEx video mode using the WebEx video link above. Counsel and other parties-in-interest who will not be seeking to introduce any evidence at the hearing and who wish to attend the hearing in a telephonic-only mode may attend the hearing in the WebEx telephonic-only mode using the WebEx dial-in and access code above.
- Attendees should join the WebEx hearing at least 10 minutes prior to the hearing start time. Please be advised that a hearing may already be in progress. During hearings participants are required to keep their lines on mute when they are not addressing the Court or otherwise actively participating in the hearing. The Court reserves the right to disconnect or place on permanent mute any attendee that causes any disruption to the proceedings. For general information and tips with respect to WebEx participation and attendance, please see Clerk's Notice 20-04: https://www.txnb.uscourts.gov/sites/txnb/files/hearings/Webex%20Information%20and%20Tips_0.pdf
- Witnesses are required to attend the hearing in the WebEx video mode, and live testimony will only be accepted from witnesses who have the WebEx video function activated. Telephonic testimony without accompanying video will not be accepted by the Court. The Court may consider special requests for other appearance options on a case-by-case basis.
- All WebEx hearing attendees are required to comply with Judge Everett's Telephonic and Videoconference Hearing Policy (included within Judge Everett's Judge-Specific Guidelines): <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judge-everetts-hearing-dates>.

Exhibit Requirements:

- Any party intending to introduce documentary evidence at the hearing must file an exhibit list in the case with a true and correct copy of each designated exhibit filed as a separate, individual attachment thereto so that the Court and all participants have ready access to all designated exhibits.
- In addition, for evidentiary hearings, when more than ten exhibits have been filed in ECF or when the total page count of all exhibits exceeds 500 pages, Judge Everett requests a thumb/USB drive be delivered to him prior to the hearing at: U.S. Bankruptcy Court, Attn: Stephen Manz, 1100 Commerce Street, Room 1254, Dallas, TX 75242.
- Paper copies of exhibits are not encouraged; however, paper copies may be provided to the witness(es) at an in-person hearing if preferred.

Notice of Hearing Content and Filing Requirements:

IMPORTANT: For all hearings that will be conducted by WebEx only:

- The Notice of Hearing filed in the case and served on parties in interest must: (1) provide notice that the hearing will be conducted by WebEx videoconference only, (2) provide notice of the above WebEx video participation/attendance link, and (3) attach a copy of these WebEx Hearing Instructions or provide notice that they may be obtained from Judge Everett's hearing/calendar site: <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judge-everetts-hearing-dates>.

- When electronically filing the Notice of Hearing via CM/ECF select “at https://us-courts.webex.com/meet/everett” as the location of the hearing (note: this option appears immediately after the first set of Wichita Falls locations). Do not select Judge Everett’s Dallas courtroom as the location for the hearing.

CONNECTION INSTRUCTIONS FOR PARTICIPATING IN A WEBEX VIRTUAL HEARING

The Court will allow participation in a virtual hearing using either of the following two methods. Please connect at least 10 minutes prior to the hearing time. It is recommended that attorneys discuss the logistics of the WebEx appearance with their clients/witnesses at least 48 hours before the hearing.

Option 1: Using the WebEx app on your smartphone, tablet, laptop, or desktop.

Please connect using only one device. Using two or more devices may cause audio feedback issues.

If using a phone or tablet for video, it should be set in a stationary position. Holding a phone or tablet in your hand while speaking does not yield a good video for the court.

NOTE: If you are experiencing audio issues when using the WebEx application, you may use the “Call Me At” selection under “Audio Connection” to move just the audio portion of the WebEx conference to your telephone.

Option 2: Call in via phone (audio only).

Webex dial-in number: 1-650-479-3207 (access code: 476 420 189).

HELPFUL HINTS AND ETIQUETTE

- Please use the mute function when you are not speaking. Please be aware that sometimes the court mutes everyone when there is background noise. When you want to speak, make sure you are not on mute. Call-in users should dial *6 to unmute your line.
- Remember to state your name for the record each time before speaking and speak slowly and clearly so the Court can get a good record.
- Use headphones whenever possible, especially if using a desktop PC with external speakers. We have found that newer iPhones provide the best visual and audio feed – better than most desktop computers. If you are on a personal computer, headphones or earbuds are required for those who need to speak during the hearing.
- During examination, attorneys and witnesses should use a separate camera and microphone when possible. To avoid feedback, parties using separate devices must not be in the same room. The Court may consider special requests on a case-by-case basis.
- WebEx participants may use the "share" button to easily share their screen or document with the Court or other WebEx participants. Press "stop sharing" to remove the presentation from the meeting.
- When making an appearance from a vehicle, please park in a safe location with windows rolled up (to minimize background distraction and noise) and use a headset that is ear-to-phone (not the vehicle's hands-free speaker-phone option).
- Suggestions for participating in a WebEx hearing from home: If you are having connectivity problems, turn off devices that may be using bandwidth on your home network. Devices or applications such as Facetime, Roku, streaming media players, video games, or large downloads can negatively impact the audio and video quality of the WebEx meeting.
- Participants are reminded that they should wear attire suitable for court.
- Participants who wish to test their WebEx connection or the share screen functionality in advance of the hearing may arrange a “practice run” by contacting the courtroom deputy.

EXHIBITS AND DEMONSTRATIVE AIDS

Exhibits should be filed ahead of time by the date that they would normally be exchanged pursuant to our local rules using the "list (witness/exhibit/generic)" OR "notice (generic)" OR "Support/Supplemental document" event in ECF.

Demonstrative aids and Power Points should also be filed prior to the hearing, if possible. If not, WebEx has the ability to allow you to share your screen, or a particular document, with everyone in the hearing. If these documents are admitted as exhibits, they would then have to be filed after the hearing.

- During the hearing, lawyers can refer to (and offer) their exhibits by referencing the exhibit's docket number for the court and all to access. After the hearing, the court will create a Minute Entry reflecting which exhibits were admitted. You should consider emailing exhibits to witnesses ahead of time since they may not have access to PACER.
- In addition for evidentiary hearings, when more than ten exhibits have been filed in ECF or when the total page count of all exhibits exceeds 500 pages, Judge Everett requests a thumb/USB drive be delivered to him prior to the hearing at: U.S. Bankruptcy Court, Attn: Stephen Manz, 1100 Commerce Street, Room 1254, Dallas, TX 75242.
- Paper copies of exhibits are not encouraged; however, paper copies may be provided to the witness(s) at an in-person hearing if preferred.